

FINAL STATEMENT OF REASONS

a) Updates to the Initial Statement of Reasons

Sections 31-206.211(a), (b) and (c), and .212

The second and third bullets under the Specific Purpose in the Initial Statement of Reasons were included as information of "best practice" but not to be included in the regulations.

Sections 31-525.31 and .311

Section 31-525.31 was amended because the existing regulation was inconsistent with existing law.

Section 31-525.69

The Factual Basis in the Initial Statement of Reasons for this section states the section is necessary for consistency with Welfare and Institutions Code section 16501.1(g)(16)(A)(ii), it is also necessary for consistency with Welfare and Institutions Code section 16501.1(d)(3).

c) Local Mandate Statement

These regulations do not impose a mandate on local agencies or school districts. There are no state-mandated local costs in this order that require reimbursement under the laws of California.

d) Statement of Alternatives Considered

No other alternatives are permissible, as these regulations are being developed as a result of state law implemented by Assembly Bill (AB) 2070 (Chapter 482, Statutes of 2008) and Senate Bill (SB) 118 (Chapter 338, Statutes of 2009) regarding incarcerated parents of children in the foster care system, SB 945 (Chapter 631, Statutes of 2010) regarding wards who were once dependents and the services available to them, AB 1325 (Chapter 287, Statutes of 2009) regarding tribal customary adoptions, and SB 68 (Chapter 284, Statutes of 2015) regarding minor and nonminor dependent parents and reunification services.

The CDSS has determined that no reasonable alternative considered, or that has otherwise been identified and brought to the attention of CDSS, would be more effective in carrying out the purpose for which these regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

e) Statement of Significant Adverse Economic Impact on Business

The CDSS has determined that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made because the proposed regulations are only applicable to state and county agencies and are mandated by the State of California.

Provisions of SB 118 (Chapter 338, Statutes of 2009) would require social workers to include additional information into a child's case plan regarding the status of parent(s)/legal guardian(s) incarceration, institutionalization or admittance to a court-ordered residential substance abuse treatment program, or in the case of an Indian child, tribal customary adoption. The Child Welfare System/Case Management System is currently able to capture information about a child's incarcerated parent(s), thus these provisions would result in unknown, but minimal and absorbable costs associated with the time required to enter this data into the Child Welfare System/Case Management System.

i) Testimony and Response

These regulations were considered as Item #2 at the public hearing held on May 9, 2018 in Sacramento, California. No written or oral testimony was received during the 45-day comment period from March 23 to May 9, 2018.

j) 15-Day Renotice Statement

CDSS did not renote these regulations because no changes requiring renote were made to the regulations following the public hearing.